

JAN 03 2013

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA) Criminal Action No. 4:10-cr-00010-1
)
v.) § 2255 ORDER
)
DARYL WENDELL BARLEY,) By: Hon. Jackson L. Kiser
Petitioner.) Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that petitioner's motion to amend is **DENIED**; the United States' motion to dismiss is **GRANTED**; petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to petitioner and counsel of record for the United States.

ENTER: This 3rd day of January, 2013.

Jackson L. Kiser
Senior United States District Judge